



15. August, 2005

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Dear Mr. Neal and National Organic Standards Board:

This letter is in reference to the National Organic Program, Sunset Review, Docket number TM-04-07.

Nature's Path Foods Inc has manufacturing plants in Canada and the US and is certified organic under the NOP and as such we wish to make comments in support of the continued allowance of the following substances:

Name of Substance	Location on National List	Use
Citric Acid	205.605(a)(1)(ii)	Acidity control in baked goods

<b>Our use of substance:</b>	Organic gluten-free Cookies.
<b>Impact if lost:</b>	Restricting this from organic would eliminate or render less than competitive organic products such as cookies.
<b>Other comments:</b>	Due to the particular characteristic of controlling acidity of citric acid it is essential in our formulation to produce these products.

Name of Substance	Location on National List	Use
Colors (non synthetic sources only)	205.605(a)(5)	Used to add color to products and often to color flavors

<b>Our use of substance:</b>	Use colors in flavors to produce organic products.
<b>Impact if lost:</b>	Restricting this from organic would eliminate or render less than competitive many categories of our current organic products.

Name of Substance	Location on National List	Use
Diatomaceous Earth – (food filtering aid only)	205.605(a)(7)	Used to filter many products including flavors or flavor ingredients.

<b>Our use of substance:</b>	Use flavors to produce organic products. Some of these flavors have been filtered using diatomaceous earth.
<b>Impact if lost:</b>	Restricting this from organic would eliminate or render less than competitive many categories of our current organic products.

Name of Substance	Location on National List	Use
Flavors	205.605(a)(9)	Used to flavor organic products.

<b>Our use of substance:</b>	To produce organic Bars, Cereal and Waffles.
<b>Impact if lost:</b>	If the organic industry is not able to have access to use the current range of flavors, the organic consumer will be left with sub-quality organic products that cannot compete with conventional (non-organic) products on the platform of taste. This could both harm the organic industry and unreasonably restrict consumer's access to fully functional organic choices.
<b>Other comments:</b>	Because products need to have flavor to be competitive, it is essential that we have alternatives when organic flavors do not exist. As organic flavors become available we will switch to them, but this is not yet a commercial reality and it may be several more years before we can rely on only organic flavors.

Name of Substance	Location on National List	Use
Kaolin	205.605(a)(10)	Used to provide adequate flow properties to other ingredients

<b>Our use of substance:</b>	Currently we use silicon dioxide as a flow agent in some ingredients. After Harvey, silicon dioxide may be disallowed, and it is very important that we have adequate alternatives, and kaolin looks like one of the better options at this time as it provides particular anti-caking and flow characteristics that may be adequate to replace silicon dioxide, even though it does not match it's qualities.
<b>Impact if lost:</b>	Restricting kaolin from organic use would limit options for the industry to deal with the outcome of the Harvey vs. USDA court ruling.

Name of Substance	Location on National List	Use
Sodium bicarbonate	205.605(a)(17)	Used as a leavening agent.

<b>Our use of substance:</b>	Sodium carbonate (aka, baking soda) is used as a minor ingredient in production of organic Cookies and Crackers, Baking Mixes, Waffles and Toaster Pastries.
<b>Impact if lost:</b>	Restricting this from organic would eliminate or render less than competitive many categories of our current organic products such as cookies and crackers, baking mixes, waffles and toaster pastries.
<b>Other comments:</b>	Due to the particular leavening characteristics of sodium bicarbonate, it is essential in our formulations of these products. Also this is a common household item.

Name of Substance	Location on National List	Use
Ammonium carbonate	205.605(b)(2)	Leavening agent.

<b>Our use of substance:</b>	Manufacturing of organic Cookies and Crackers, and Baking Mixes.
<b>Impact if lost:</b>	Restricting this from organic would eliminate or render less than competitive many categories of our current organic products such as cookies and crackers and baking mixes.
<b>Other comments:</b>	Due to the particular leavening characteristics of this it is essential in our formulation to produce these products.

Name of Substance	Location on National List	Use
Ascorbic acid	205.605(b)(4)	Colour and freshness preservation in dried fruit.

<b>Our use of substance:</b>	Used in dried fruit in our Cereals and Bars.
<b>Impact if lost:</b>	Restricting this from organic would affect the quality of our product.
<b>Other comments:</b>	This is a harmless substance that fulfills the function of colour and freshness preservation in dried fruit. Alternatives would be more harmful.

Name of Substance	Location on National List	Use
Calcium hydroxide	205.605(b)(6)	This substance is a processing aid in the production of organic cane sugar. Calcium hydroxide is only used as a filtering agent and it does not stay in the product after processing.

<b>Our use of substance:</b>	Organic cane sugar is used in the production of organic cereals, bars, snack foods, and baking mixes.
<b>Impact if lost:</b>	Being a basic ingredient and the most versatile sweetener with unique flavor-neutral and uniform handling characteristics, organic cane sugar (made with the use of calcium hydroxide as a filtering agent) is essential in our formulations – without which we would not be able to produce our certified organic products.
<b>Other comments:</b>	Crystalline sugar of adequate quality cannot be produced without the use of calcium hydroxide, since there is no suitable alternative processing aid. In addition, please note that calcium hydroxide <u>is permitted</u> for use in the production of organic sugar under <u>European Union regulation number 2092/91</u> . The removal of calcium hydroxide from the National List and the resulting incompatibility between organic standards would all but eliminate the export of “organic”, sugar-containing products to the EU, the largest market for US produced multi-ingredient products.

Name of Substance	Location on National List	Use
Calcium phosphates	205.605(b)(7)	This substance is used as a leavening agent.

<b>Our use of substance:</b>	Use Calcium phosphate to produce organic Cookies and Crackers, Waffles, Toaster Pastries and Baking Mixes.
<b>Impact if lost:</b>	Restricting this from organic would eliminate or render less than competitive many categories of our current organic products.
<b>Other comments:</b>	Due to the particular leavening characteristics of this it is essential in our formulation to produce these products.

Name of Substance	Location on National List	Use
Glycerin	205.605(b)(13)	Coating for dried fruit and as an ingredient in some products to improve consistency.

<b>Our use of substance:</b>	Glycerin is used as a coating for raisins in Bars and Cereals.
<b>Impact if lost:</b>	Due to glycerin’s unique softening characteristics it allows us to produce organic Bars and Cereals that are texturally acceptable to our consumers.
<b>Other comments:</b>	Due to the coating characteristics of glycerin it is essential in our formulations.

Name of Substance	Location on National List	Use
Potassium Carbonate	205.605(b)(25)	Used as an alkalizing agent

<b>Our use of substance:</b>	Currently considering using organic Dutch cocoa powder containing Potassium Carbonate as an ingredient to produce organic products.
<b>Impact if lost:</b>	Due to the unique <i>flavor and processing characteristics</i> of organic Dutch cocoa powder (made with potassium carbonate) it may be useful in our formulations.

Name of Substance	Location on National List	Use
Silicon Dioxide	205.605(b)(30)	Used to provide adequate flow properties to other ingredients.

<b>Our use of substance:</b>	Currently silicon dioxide is used as a component of other ingredients to produce organic Bars and many kinds of Cereal.
<b>Impact if lost:</b>	Restricting silicon dioxide from organic would add unnecessary cost to many categories of our current best selling organic products such as bars and cereals and may prevent production of some.
<b>Other comments:</b>	Due to the particular anti-caking and flow characteristics of this it is useful in some of our formulations. There are no fully functional organic substitutes in some cases.

Name of Substance	Location on National List	Use
Tocopherols	205.605(b)(35)	Used to prevent premature rancidity.

<b>Our use of substance:</b>	Tocopherols are used in the production of organic Bars and many kinds of Cereal. This is an antioxidant and helps naturally to extend shelf-life.
<b>Impact if lost:</b>	Restricting tocopherols from organic would eliminate or render less than competitive many categories of our current best selling organic products such as bars and cereals. Making many of these products without tocopherols would mean providing less than superior organic product and promote for consumers an image of organic being rancid, have a short shelf life and have poor taste.
<b>Other comments:</b>	Due to the particular antioxidant characteristics of this it is essential in our formulation to produce these products and to allow us to get the product to our customers with a usable shelf life. Also there are no suitable organic tocopherols available, and there are currently no useable alternatives to tocopherols in our particular formulations because an alternative, like rosemary oil has a bitter taste.

Name of Substance	Location on National List	Use
Lecithin (unbleached)	205.606(d)	Acts as an emulsifier.

<b>Our use of substance:</b>	Lecithin is used in organic chocolate, which is an ingredient in organic Cookies and Crackers, Bars, and Waffles.
<b>Impact if lost:</b>	Restricting unbleached lecithin would eliminate or render less than competitive our products using chocolate.
<b>Other comments:</b>	Due to the unique flavor and coating characteristics of organic chocolate (made with lecithin (unbleached)) it is essential in our formulation to produce our bars. The unique emulsifying characteristics of lecithin allows us to produce organic Cookies and Crackers, Energy Bars and Waffles that are texturally acceptable to our consumers.

In our estimation none of the substances that we are supporting for the National List presents any threat to the organic integrity of certified organic (95%) products and the previous NOSB assessments for each are still relevant. None of the substances have fully functional organic alternatives commercially available at this time. Until such time as there are organic alternatives available we feel they should stay on the National List.

Thank you for this opportunity to make comment.

Sincerely,



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Cc: Organic Trade Association  
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